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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Youth and human rights

Report of the United Nations High Commissioner for Human Rights

Summary

The present report, submitted pursuant to Human Rights Council resolution 35/14 on youth and human rights, provides an overview of the international and regional human rights framework applicable to young people and describes the challenges and discrimination encountered by that group in gaining access to their rights. It includes a number of recommendations to strengthen the promotion and protection of the rights of young people.

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Contents

		Page
I.	Introduction	3
II.	Call for action	3
III.	Youth: definition	4
IV.	Normative and institutional framework	5
	A. Regional and international norms	5
	B. Political commitments	6
	C. United Nations architecture on youth	7
V.	Challenges and discrimination against youth	7
	A. Participation in politics and public decision-making	8
	B. From education to decent work: youth employment	9
	C. Access to health services, in particular sexual and reproductive health and rights	10
	D. Conscientious objection to military service	11
	E. Transitioning to autonomy in vulnerable situations	12
VI.	Youth and peace and security	13
VII.	Initiatives to empower young people in the exercise of their rights	14
VIII.	Conclusions and recommendations	16

I. Introduction

1. The present report is submitted to the Human Rights Council pursuant to resolution 35/14 on youth and human rights, in which the Council requested the United Nations High Commissioner for Human Rights, in consultation with and taking into account the views of States and relevant stakeholders, including relevant United Nations agencies, the treaty bodies, the special procedures of the Council, national human rights institutions, civil society and representatives of youth organizations, to conduct a detailed study on the implementation of human rights with regard to young people, the identification of cases of discrimination against young people in the exercise of their human rights, and best practices in the full and effective enjoyment of human rights by young people, highlighting the contribution of empowered youth to the realization of human rights in society.

2. Pursuant to that request, the Office of the United Nations High Commissioner for Human Rights (OHCHR) solicited contributions and received 95 responses from States, national human rights institutions, civil society and youth organizations.[1]

3. In addition to those contributions, the present report builds on the conclusions of the expert meeting on the human rights of youth, organized by OHCHR in 2013,[2] the Forum on Human Rights, Democracy and the Rule of Law convened in December 2016[3] and the regional consultation on youth and human rights organized by the European Youth Forum and OHCHR in March 2018.[4]

4. In the context of the present report, the terms "youth" and "young people" are used interchangeably.

II. Call for action

5. With a global youth population of 1.8 billion, there are more young people in the world than ever before. That demographic reality creates unprecedented opportunities for social and economic progress. At the same time, many young people see their potential hindered by violations of their fundamental rights.

6. Young people worldwide are three times more likely than adults to be unemployed, meaning that about 71 million young people are looking for work. When they do find work, they generally labour in far more precarious conditions than adults and often without equal pay for equal work. In addition, some 263 million children and youth are out of school,[5] which makes the transition to the labour market even more difficult, owing to a lack of education and skills. Many countries struggling to implement the right to education and the right to work for their young people are also anticipating substantial growth in their youth population, thereby facing a twofold challenge in the years to come.

7. In recent years, young people have increasingly been rising up worldwide, fighting for their rights and demanding political reforms and better opportunities, which leads to significant political changes in many countries. Yet their rights to freedom of assembly and freedom of expression are often poorly respected, and their participation in public life is frequently restricted to consultation exercises, rather than meaningful participation in decisions and processes that have profound implications for their future. There is an urgent need for strengthened inclusion of young people in politics and public decision-making. However, it is telling that around the world only 1.65 per cent of parliamentarians are in their 20s.[6]

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[1] Available at www.ohchr.org/EN/Issues/Youth/Pages/HROfYouth.aspx.

[2] Ibid.

[3] See www.ohchr.org/EN/HRBodies/HRC/Democracy/Pages/Session1.aspx.

[4] See www.ohchr.org/EN/Issues/Youth/Pages/HROfYouth.aspx.

[5] United Nations Educational, Scientific and Cultural Organization, "Leaving no one behind: how far on the way to universal primary and secondary education?", Policy Paper No. 27, July 2016.

[6] See www.un.org/esa/socdev/documents/youth/fact-sheets/youth-political-participation.pdf.

8. Young people are particularly affected by violence: more than half of all global homicide victims are under 30 years of age.[7] Furthermore, adolescents and young people continue to be sentenced to harsh penalties, including life imprisonment and the death penalty.

9. In 2016, an estimated 408 million youth resided in settings affected by armed conflict or organized violence. Conflict, crime and other forms of violence have an impact on young people's lives in more ways than mortality, and youth suffer from a wide range of effects, from repeat victimization to psychological trauma and identity-based discrimination, which exacerbates their social and economic exclusion (see A/72/761-S/2018/86).

10. Around 27 million young people are international migrants.[8] Whether on their own or with family, adolescents and youth are increasingly migrating in search of survival, security, improved standards of living, education and protection from discrimination and abuse.

11. Sexual violence disproportionately affects young women and girls, and, despite being largely preventable, complications in pregnancy and childbirth are the second leading killers of adolescent girls in developing countries. Every year, 3.9 million girls aged 15 to 19 undergo unsafe abortions.[9] Some 20 per cent of girls are married or in union before reaching the age of 18. In the least developed countries, that percentage doubles: 40 per cent are married before they reach that age.[10] AIDS-related deaths among adolescents have increased over the past decade while decreasing among all other age groups.

12. The multiple challenges that young people currently face represent an urgent call for action. Investing in young people's rights and empowering youth can lead to more equal societies and positive social change, and young people can make a pivotal contribution to finding solutions to the many challenges ahead, including peace and security and frontier-related challenges, such as upholding human rights in an ever more technology-driven era. This is also essential to realizing the aims of the 2030 Agenda for Sustainable Development, the global agenda adopted by United Nations Member States to shape a fairer and more peaceful world for all.

III. Youth: definition

13. There is no consistent definition of the term "youth". At the United Nations, the age range from 15 to 24 years has traditionally been used; however, as that range was originally chosen only for statistical purposes, it is not used consistently. For example, some United Nations organizations use "young people" as an umbrella term for "youth" and "adolescents", spanning the ages 10 to 24. The Committee on the Rights of the Child uses "adolescents" in its general comment No. 20 (2016) on the implementation of the rights of the child during adolescence; however, as it clarifies, it does not seek to define adolescence but instead focuses on the period of childhood from age 10 until the 18th birthday. For others, such as the United Nations Human Settlements Programme, "youth" refers to the ages 15 to 32, while still others use the age range from 15 to 29 years. The Committee on Economic, Social and Cultural Rights refers to youth and young people interchangeably, but without referring to a specific age range. Security Council resolution 2250 (2015) and the progress study on youth and peace and security define "youth" as 18 to 29 years of age. Such a disparity of approaches can be problematic, particularly since the challenges faced by a 15-year-old are different from those faced by a 29-year-old.

[7] United Nations Office on Drugs and Crime, *Global Study on Homicide 2013: Trends, Contexts, Data* (Vienna, 2014).

[8] See www.un.org/esa/socdev/documents/youth/fact-sheets/youth-migration.pdf.

[9] See www.who.int/mediacentre/factsheets/fs364/en/.

[10] See www.unfpa.org/child-marriage.

14. The complexity of the definition is also shown at the national level, as it varies across countries and regions. Input provided by States[11] for the present report indicates that Bosnia and Herzegovina defines "youth" as persons from 15 to 30 years of age and Canada, as persons from 15 to 34 years of age. Honduras defines it as those from 12 to 30 years of age, Mexico from 12 to 29 and Cuba from 15 to 29. In South Sudan and Zimbabwe, youth are those from 15 to 35 years of age, in accordance with the definition provided by the African Youth Charter. The European Commission defines "youth" as 15 to 29 years of age.

15. The variety of approaches reflects the reality of what youth is: a fluid and non-homogeneous category, rather than a fixed age group. Youth, unlike other forms of identity, such as gender, ethnicity, caste or race, is a transitory phase of life (see A/72/761-S/2018/86), a transition from dependence to independence and full autonomy. It is difficult to define youth by focusing purely on chronological age, as the term can differ depending on sociocultural settings. What must be acknowledged is that the transition from childhood to adulthood, from dependence to independence and autonomy, occurs at different times in relation to different rights. For example, in the labour market, in education and in sexual and reproductive health, independence and autonomy are achieved at different moments.

IV. Normative and institutional framework

A. Regional and international norms

16. All human rights instruments apply to young people. Yet, at the international level, there is no specific instrument on the rights of youth. While some universal human rights instruments have been dedicated to certain categories of persons, for example women, children and persons with disabilities, this has not been the case for youth.

17. At the regional level, the situation is different. The Ibero-American region has been a pioneer in promoting and protecting the rights of young people. The Ibero-American Convention on the Rights of Youth, which entered into force on 1 March 2008, recognizes youth as the subject of rights and considers them "priority subjects". It lays out specific rights for young people between 15 and 24 years old and recognizes them as strategic actors in development. The Convention does not have a monitoring system similar to international treaty monitoring bodies but has established a tracking system by which States parties are required to submit a report every two years to the Secretary-General of the Ibero-American Youth Organization.

18. The African Youth Charter, which entered into force in August 2009, underlines the rights, duties and freedoms of youth aged 15 to 35 years. It also paves the way for the development of national programmes and strategic plans for the empowerment of young people. It aims to ensure youth involvement in the development agendas of Africa and their effective participation in decision-making in the region. It does not provide for a specific follow-up and monitoring mechanism, but article 28 sets out the responsibilities of the African Union Commission under the Charter. The South Asian Association for Regional Cooperation is also in the process of drafting a youth charter.

19. The Committee of Ministers of the Council of Europe has adopted two key recommendations relating to young people's rights: CM/Rec(2016)7 on young people's access to rights and CM/Rec(2015)3 on the access of young people from disadvantaged neighbourhoods to social rights. While the latter focuses on policies to prevent and eradicate the poverty, discrimination, violence and exclusion faced by young people from disadvantaged neighbourhoods, the former is wide-ranging and covers civil, political, economic, social and cultural rights and provides guidance to States on improving access to education, autonomy and social inclusion, mobility, active citizenship, democracy and participation, living together in diverse societies, access to information and protection, as well as access to health-care services.

[11] See www.ohchr.org/EN/Issues/Youth/Pages/Contributions.aspx.

20. The phrase "young persons" is mentioned in article 10 of the International Covenant on Economic, Social and Cultural Rights, which calls for special measures of protection and assistance to be taken on behalf of all children and young persons without any discrimination. Young people are explicitly mentioned in the Committee's general comments on the right to adequate housing (No. 7), the right to education (No. 13), the right to the highest attainable standard of health (No. 14), the right to work (No. 18), non-discrimination in economic, social and cultural rights (No. 20), the right of everyone to take part in cultural life (No. 21), the right to sexual and reproductive health (No. 22) and the right to just and favourable conditions of work (No. 23). The Committee on the Elimination of Discrimination against Women has focused in its concluding observations and general comments on girls and young women. The Committee on the Rights of Persons with Disabilities, in its general comment No. 5 (2017) on the right to independent living, makes a particular reference to young people. The Committee on the Rights of the Child, through its general comment No. 20, provides guidance to States on the measures necessary to ensure the realization of children's rights during that period. In addition, a number of recommendations to States under review in the context of the universal periodic review concern young people. Yet the mainstreaming of youth issues is not systematic in the overall context of international human rights mechanisms.

21. Discussion at the international level on the human rights of youth is not new. In 1973, the then Division on Human Rights of the United Nations Secretariat, jointly with the Government of Italy, organized a meeting on youth and human rights in San Remo. At the meeting, human rights problems of special concern to youth were considered, including the situation of young people protesting against gross violations of human rights. Meeting participants mentioned the possibility of elaborating for young people a document similar to the Declaration of the Rights of the Child and recommended that the United Nations initiate such a measure and that youth organizations all over the world take part in the drafting of a youth charter.

22. Years later, the Commission on Human Rights, in its resolution 1985/13, requested the Subcommission on Prevention of Discrimination and Protection of Minorities to pay due attention to the role of youth in the field of human rights. A Subcommission Special Rapporteur, Dumitru Mazilu, presented a report on human rights and youth (E/CN.4/Sub.2/1992/36), in which he analysed the efforts and measures to secure the implementation and enjoyment by youth of human rights. In his report, the Special Rapporteur presented a draft charter on the rights and freedoms of youth, but no further action was taken.

B. Political commitments

23. The World Programme of Action for Youth to the Year 2000 and Beyond provides a policy framework and practical guidelines for national action and international support to improve the situation of young people. The Lisbon Declaration on Youth Policies and Programmes, adopted at the World Conference of Ministers Responsible for Youth in 1998, and the Braga Youth Action Plan reinvigorated the political commitment to youth by making national youth policy formulation, implementation, follow-up processes and funding a priority at the highest political levels.

24. More recently, the 2030 Agenda identifies youth as agents of change, recognizing that the Sustainable Development Goals are integrated, indivisible and global in nature, and therefore that all of the Goals apply to youth. Youth are also the main beneficiaries of the Agenda, as national success or failure in implementing the Goals will have the greatest future impact on today's young people. Commitments vis-à-vis youth have also been adopted in a number of frameworks, including the New York Declaration for Refugees and Migrants and the Compact for Young People in Humanitarian Action, adopted at the World Humanitarian Summit, held in Istanbul, Turkey, in May 2016.

25. The General Assembly and the Commission for Social Development regularly adopt resolutions on policies and programmes involving youth. The Human Rights Council held a panel discussion on youth and human rights in September 2016 and adopted its resolution

35/14 on youth and human rights in June 2017. Furthermore, the first session of the Forum on Human Rights, Democracy and the Rule of Law was devoted to the role of youth in public decision-making, as was the tenth session of the Forum on Minority Issues.

C. United Nations architecture on youth

26. In recent years, young people have gained strong traction at the United Nations due to the particular challenges that they face and the opportunities that engaging them can bring in terms of social progress and change. The Secretary-General identified working with and for young people as one of the Organization's top priorities. The Secretary-General has expressed his full commitment to empowering young people and increasing their participation in society and their access to education, training and jobs and has requested the support of all to his Envoy on Youth in advancing youth rights.

27. In June 2017, Jayathma Wickramanayake (Sri Lanka) was appointed Envoy of the Secretary-General on Youth. The Envoy works to expand the youth engagement and advocacy efforts of the United Nations across all four pillars of work — sustainable development, human rights, peace and security and humanitarian action — and serves as a representative of and adviser to the Secretary-General. She is the youngest member of the Secretary-General's senior management team and plays a catalytic role in harmonization efforts in order to advance youth issues across the United Nations system in a coherent and coordinated way, working closely with United Nations agencies, Governments, civil society, youth organizations and networks, academia and media stakeholders.

28. The United Nations Focal Point on Youth/United Nations Programme on Youth, within the Department of Economic and Social Affairs of the Secretariat, aims to build awareness of the global situation of young people, as well as promote their rights and aspirations, and works towards greater participation of young people in decision-making as a means of achieving peace and development. It produces the *World Youth Report*, which focuses on particular thematic aspects related to youth, such as civil engagement, youth and migration and youth and employment.

29. A large number of United Nations agencies, funds and programmes work on youth issues within their specific mandates. In addition, the United Nations Inter-Agency Network on Youth Development is a network of United Nations entities that aims to increase the effectiveness of United Nations work on youth development by strengthening collaboration in this area among all relevant entities.

30. At the request of the Secretary-General, a United Nations strategy on youth led by the Envoy, in coordination with the Co-Chairs and members of the Network, was under development at the time of writing. The strategy is envisioned to cut across the United Nations pillars of sustainable development, human rights and peace and security, reflecting the Secretary-General's vision on prevention, and address key thematic priorities around which the United Nations system will unite in order to strengthen its efforts and facilitate increased impact to advance the needs, agency and rights of young people around the world.

V. Challenges and discrimination against youth

31. The transition from childhood to adulthood, from dependence to autonomy, occurs at different times in relation to different rights. For example, in the labour market, in education and in sexual and reproductive health, independence and autonomy are achieved at different moments, hence the importance of balancing protection needs with empowerment and evolving capacities. At the same time, the establishment of age limits and minimum ages in legislation can lead to inconsistencies and restrictions resulting from the use of different thresholds and may restrict certain rights while not offering enough

protection in others. A recent report of the European Network of Equality Bodies[12] found that age limits are employed as a mechanism to discriminate against young people, for example in employment, legal capacity and voting.

32. To understand and analyse discrimination against young people, it is critical to acknowledge that age is one characteristic that often intersects, adds to and multiplies discrimination based on other grounds. Together with the structural and institutional barriers that youth also face, such multiple discrimination prevents many young people from enjoying equal opportunities and substantive equality.[13] Some of the areas in which youth face heightened discrimination and challenges in claiming their rights are described below.

A. Participation in politics and public decision-making

33. Globally, youth participation and representation in institutional political processes and policymaking is low compared with that of other age groups. Young people are not proportionately represented in political institutions, such as parliaments, political parties and public administrations, thereby fuelling disenfranchisement and distrust in formal structures, electoral processes, leaders and policymakers.[14] Legal and other barriers faced by young people in running for public office represent a major obstacle to the promotion of youth participation, particularly in political processes.

34. Less than 2 per cent of parliamentarians worldwide are under the age of 30. According to the Inter-Parliamentary Union (IPU), young people are underrepresented in parliament for several reasons: first, the minimum age required to run for office is often higher than the minimum voting age, requiring a wait in some cases until 25, 35 or even 45 years of age. This is especially true in the case of upper houses, which tend to establish a higher eligibility age. The results show that where "young" is defined as under age 30, very few young parliamentarians are elected. The proportion of under-30 parliamentarians exceeds 10 per cent in only four countries: Ecuador, Finland, Norway and Sweden.[15]

35. The minimum age for parliamentary candidacies should be aligned with the minimum voting age to increase young people's access to parliament. There is a correlation between lower eligibility ages and higher levels of youth representation, with lower legal thresholds fostering a climate in which young people are more likely to come forward and be elected to parliament at an earlier age.

36. With the exception of some countries, for example Argentina, Cuba, Ecuador and Nicaragua in Latin America, or Austria, Estonia and Malta in Europe, which set the voting age at 16, most countries in the world set 18 as the voting age. In some countries, voting ages are set higher than 18, for example Malaysia and Singapore, where the voting age is 21. In 2016, Japan lowered the voting age from 20 to 18.

37. In the context of the universal periodic review, some Governments have made recommendations to States that still have voting ages set higher than 18 to lower them (see e.g. A/HRC/17/3). The Committee on the Rights of the Child has emphasized that, if States decide to lower the voting age to under 18 years, they should invest in measures that support adolescents in understanding, recognizing and fulfilling their role as active citizens, including through citizenship and human rights education and by identifying and addressing barriers to their engagement and participation.

38. In addition to young people's underrepresentation in traditional institutions of representative democracy, their participation in the drafting of legislation and the formulation, monitoring and implementation of policies affecting their lives is also often

[12] *Opening up the Issue: Equality Bodies Combating Discrimination against and Promoting Equality for Young People* (Brussels, 2016).

[13] European Youth Forum submission.

[14] Opening statement of the High Commissioner at the Forum on Human Rights, Democracy and the Rule of Law held in 2016.

[15] IPU, *Youth Participation in National Parliaments* (Geneva, 2016).

limited. Equal opportunities to participate beyond electoral processes at various stages of legislative and policy decision-making not only is a matter of rights but also has the potential to strengthen legitimacy, accountability and, ultimately, the quality of decisions made. Existing participatory decision-making mechanisms should be improved and new ones explored in order to offer the possibility to think beyond traditional voting, and to make better use of information and communications technologies to ensure the equal participation of young people. Those mechanisms should be accessible and include young women and men from all backgrounds and take into account how intersecting forms of discrimination affect the ability of all youth to participate, in particular youth with disabilities, lesbian, gay, bisexual, transgender and intersex youth and young migrants, as well as minority and indigenous groups and young people from disadvantaged socioeconomic backgrounds.

39. Regardless of whether appropriate rules are in place to allow for young people's meaningful participation in politics, the current widespread lack of quality citizenship education has the potential to severely hinder young people's prospects for political participation in democratic processes. Therefore, youth participation in decision-making processes should also be supported through investment in education. At the same time, efforts to increase young people's participation must go alongside more gender equality in representative bodies.[16]

B. From education to decent work: youth employment

40. The transition from educational settings to the labour market is critical for youth. Young people worldwide are three times more likely than adults to be unemployed. Working poverty also disproportionately affects youth, with 145 million young workers living in poverty.[17] The implementation of the right to work for young people is a serious challenge and a top global concern.

41. According to the International Labour Organization (ILO) global employment trends for youth, an estimated 70.9 million young people were unemployed globally in 2017. The latest data show that 76.7 per cent of working youth are in informal jobs, compared with 57.9 per cent of working adults. The proportion of youth neither in employment nor in education or training is estimated at 21.8 per cent.

42. Not only are young people more likely to be unemployed than adults around the world, but employment is also often more precarious for them (e.g. zero-hour contracts), often lacking in quality and access to social protection rights. An example of age-based discrimination faced by young people in gaining access to quality employment is the establishment of a youth minimum wage, a practice which goes against the principle of equal pay for equal work. Some States have set the minimum wage for young people substantially lower than that of the general population, despite indications that, in many States, the legal minimum wage is insufficient to secure an adequate standard of living. Some States have also restricted the social security benefits that young people may receive (see A/HRC/37/32). In its general comment No. 23 (2016) on the right to just and favourable conditions of work, the Committee on Economic, Social and Cultural Rights has indicated that young workers should not suffer wage discrimination, for example being forced to accept low wages that do not reflect their skills.

43. Young women face additional barriers in entering the labour force and gaining access to jobs, including unequal pay for work of equal value, widespread violence and harassment in the workplace and unpaid care work. In addition, as a result of child marriage and adolescent pregnancies, many young women and girls drop out of school and are not able to pursue their careers.

44. The scarcity of entry-level jobs has resulted in the widespread practice of internships or apprenticeships. In many cases, such opportunities do not comply with minimum quality

[16] Report on the regional consultation on youth and human rights (see footnote 4).

[17] See www.ilo.org/global/topics/youth-employment/lang--en/index.htm.

standards and are unpaid, slowing down young people's path towards autonomy. Young people are calling for stronger regulations and the development of benchmarks for quality internships so that youth struggling to gain a foothold in the labour market can do so without economic discrimination and exploitation.[18] In its general comment No. 23, the Committee on Economic, Social and Cultural Rights states that excessive use of unpaid internships and training programmes, and of short- and fixed-term contracts that negatively affect job security, career prospects and social security benefits, is not in line with the right to just and favourable conditions of work.

45. The World Economic Forum predicts that by 2020 more than one third of skills considered important in the 2015 workforce will have changed. It forecasts that new technology could displace between one third and two thirds of workers around the world. As demand for science, technology and engineering increases, owing to advances in robotics, automation, artificial intelligence and biotechnology, young workers who grow up as digital natives will be better placed to adapt to new jobs. In this context, the Committee on the Rights of the Child has recommended that both formal and informal education and training need to be designed for twenty-first century skills. Furthermore, the Committee on Economic, Social and Cultural Rights has recommended the development of effective school-to-work transition programmes for young graduates, as well as adopting youth employment policies, adopting measures to ensure the employment of youth and enhancing the quality of technical and vocational training and education.

46. Submissions received for the present report also signalled discrimination against young people in gaining access to decent housing, a situation closely related to their lack of opportunities, poverty and unemployment. The refusal of many owners to rent to young people or students was raised as an issue of concern, in addition to homelessness among young people. In this context, the European Observatory on Homelessness recently described an increase in homeless youth across Europe as the most striking trend in homeless demographics. Young people also highlight the challenges that they face regarding access to financial services due to lack of stable income or precarious working conditions.

C. Access to health services, in particular sexual and reproductive health and rights

47. Because of their age, young people face specific barriers in gaining access to health services and in the realization of sexual and reproductive rights. In many countries, laws and policies on sexual and reproductive health services for adolescents can act as limits to gaining access to such services. For example, some countries have laws or policies that require parental notification or authorization before a young person can gain access to contraceptive goods and services.[19] Where adolescents are required to receive parental authorization for sexual and reproductive health services, they may opt to forgo such services but may still engage in sexual activity.

48. In some instances, judicial authorization may be required to gain access to specific sexual and reproductive health services. Judicial authorization requirements are problematic overall and are particularly challenging for adolescents, owing to the range of barriers that they face in gaining access to formal judicial mechanisms, the delays that such authorizations create in the light of the time-sensitive nature of certain sexual and reproductive health services, and the stigma surrounding adolescent access to sexual and reproductive health services.[20]

49. The Committee on the Rights of the Child, in its general comment No. 20, stated that there should be no barriers to commodities, information and counselling on sexual and reproductive health and rights, such as requirements for third-party consent or

[18] Fair Internship Initiative submission.
[19] Center for Sexual and Reproductive Rights submission.
[20] Ibid.

authorization. In addition, particular efforts need to be made to overcome barriers of stigma and fear experienced by, for example, adolescent girls, girls with disabilities and lesbian, gay, bisexual, transgender and intersex adolescents, in gaining access to such services. Furthermore, the Committee urges States to decriminalize abortion to ensure that girls have access to safe abortion and post-abortion services, review legislation with a view to guaranteeing the best interests of pregnant adolescents and ensure that their views are always heard and respected in abortion-related decisions. Restrictive legal provisions on access to safe and legal abortion also constitute discrimination against girls and young women.

50. Other barriers exist where adolescents are not provided with the information required to understand their sexual and reproductive health needs, which hinders their ability to proactively take measures to prevent unwanted pregnancy or sexually transmitted infections or disease. In this regard, comprehensive sexuality education is particularly important, bearing in mind that adolescent girls and young women 15 to 19 years old account for 11 per cent of all births and around 14 per cent of all maternal deaths, and that 3.9 million unsafe abortions occur globally every year among adolescent girls 15 to 19 years of age.

51. The Committee on Economic, Social and Cultural Rights has indicated that all adolescents should have access to free, confidential, adolescent-responsive and non-discriminatory sexual and reproductive health services, information and education, available both online and in person, including on family planning, contraception, including emergency contraception, prevention, care and treatment of sexually transmitted infections, counselling, preconception care, maternal health services and menstrual hygiene. The Committee urges States to adopt comprehensive gender and sexuality-sensitive sexual and reproductive health policies for adolescents, emphasizing that unequal access by adolescents to such information, commodities and services amounts to discrimination.[21]

52. Moreover, submissions received for the present report indicated that the lack of mental health support services was a challenge for young people, with particularly negative consequences on vulnerable groups, such as transgender, non-binary and intersex youth.[22] Submissions received also pointed to a lack of services for indigenous youth, as well as refugee and migrant youth, in addition to stigma and harassment for young people who use drugs.

D. Conscientious objection to military service

53. Conscientious objection to military service concerns young people more than any other group. Indeed, the age at which young men and women are drafted into compulsory military service or receive their call-up papers in many States is around 18 years.

54. The Ibero-American Convention on the Rights of Youth explicitly recognizes the right to conscientious objection as a youth right. Article 12 of the Convention states that youth have the right to conscientious objection against obligatory military service and that States parties undertake to promote the pertinent legal measures to guarantee the exercise of this right and advance in the progressive elimination of obligatory military service. It further states that States parties undertake to assure youth under 18 years of age that they shall not be called up or involved, in any way, in military hostilities.

55. The right to conscientious objection to military service is based on article 18 of the International Covenant on Civil and Political Rights, which guarantees the right to freedom of thought, conscience and religion or belief. While the Covenant does not explicitly refer to a right to conscientious objection, in 1993 the Human Rights Committee stated that such a right could be derived from article 18, inasmuch as the obligation to use lethal force might

[21] General comment No. 20 (2009) on non-discrimination in economic, social and cultural rights, para. 29.

[22] Report on the regional consultation on youth and human rights (see footnote 4).

seriously conflict with freedom of conscience and the right to manifest one's religion or belief.[23]

56. Despite the growing body of jurisprudence and recommendations from treaty bodies, special procedures, the universal periodic review and regional human rights courts on the issue, some States do not implement them. Equally regrettably, some States do not recognize or fully implement the right to conscientious objection to military service in practice (A/HRC/35/4, para. 62).

E. Transitioning to autonomy in vulnerable situations

Young migrants, including asylum seekers and refugees

57. With around 27 million young international migrants,[24] young people constitute a large share of migration flows. Young people's motivations to migrate are linked to the search for decent livelihoods due to poor economic prospects, escaping from regions affected by conflict and natural disasters, as well as violence.

58. Young migrants represent a specific group of migrants whose unique needs, rights and challenges are often not addressed as part of the wider migration policies. Migrant children as a group are accorded specific protection in international human rights law, including through specific provisions in the Convention on the Rights of the Child. In addition, young asylum seekers and refugees are protected by international refugee law. However, the protection standards relating specifically to children end on their 18th birthday. Human rights mechanisms have encouraged States to ensure that protection and support measures extend beyond the age of 18 in order to ensure a rights-based transition to adulthood, in particular for vulnerable children, including asylum-seeking and refugee children, as well as other migrant children who are in vulnerable situations, children in alternative care settings and those in street situations.

59. The principles and guidelines on the human rights protection of migrants in vulnerable situations, developed by the OHCHR-led Global Migration Group, call upon States to provide adequate follow-up, support and transition measures for migrant children when they reach 18 years of age, in particular those leaving a care context. States are requested to ensure that young migrants are given access to information, have the possibility of attaining regular long-term migration status, receive welfare assistance and have opportunities to complete their education and be integrated into the labour market and in society. Moreover, in joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, the Committees request States parties to ensure that children are adequately prepared for independent living as they approach 18 years of age, and ask the competent authorities to ensure adequate follow-up of the individual situation.

Young people in conflict with the law

60. In its general comment No. 10 (2007) on children's rights in juvenile justice, the Committee on the Rights of the Child states that the special rules of juvenile justice should apply for all children who, at the time of their alleged commission of an offence, have not yet reached the age of 18. Furthermore, rule 3.3 of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice recommends making efforts to extend juvenile justice rules to young adult offenders. The Committee notes with appreciation that some States parties allow for the application of the rules and regulations of juvenile justice to persons aged 18 and older, usually until the age of 21, either as a general rule or by way of exception.

[23] General comment No. 22 (1993) on the right to freedom of thought, conscience and religion, para. 11.

[24] See www.un.org/esa/socdev/documents/youth/fact-sheets/youth-migration.pdf.

61. In this context, the Ibero-American Convention on the Rights of Youth extends the protection granted in international instruments to children to young people up to 24 years of age. In particular, articles 9 and 13 indicate that no young person shall be sentenced to death and that youth charged with a criminal offence have the right to decent treatment that takes account of their age and the need to promote their resocialization.

Youth with disabilities

62. Youth with disabilities are among the most marginalized of all young persons. Some 80 per cent of 180 million to 220 million youth with disabilities worldwide are estimated to be in developing countries,[25] facing stigma and barriers in their access to education, employment, health care and social services. Exclusion of youth with disabilities from education puts them at greater risk of being unable to gain access to decent work and, instead, being subject to unpaid work or receiving low wages and facing unemployment and exploitation. They face even greater exclusion from politics and public decision-making. The Committee on the Rights of Persons with Disabilities has recommended that States parties take steps to ensure opportunities for vocational training for youth with disabilities and has recommended their participation in the development of legislation, policies and practices that affect them.

63. The intersection between young age, disability and gender results in both aggravated forms of discrimination and specific human rights violations against girls and young women with disabilities. Girls and young women with disabilities are disproportionately subjected to forced and involuntary sterilization for various reasons, including eugenics, menstrual management and pregnancy prevention. According to the Special Rapporteur on the rights of persons with disabilities, such practices constitute gross human rights violations.[26]

VI. Youth and peace and security

64. The progress study on youth and peace and security (see A/72/761-S/2018/86) shows the positive role that young people can play in sustaining peace. That role was reiterated during the open debate of the Security Council on youth and peace and security and at a high-level meeting on peacebuilding and sustaining peace convened by the President of the General Assembly, both held in April 2018.

65. The progress study shows that the engagement of young people in peacebuilding is remarkable, extending from the local to the global levels and from the earliest stages of conflict to post-conflict settings, and across various types of violence (e.g. conflict, criminality, gender-based violence, terrorism). It stresses the importance of engaging with young people in this area and the need to protect the space for their participation.

66. The report indicates that translating the demographic dividend of youth into a peace dividend requires moving from remedial action to prevention; investing in resilience; forging innovative partnerships with civil society organizations; and developing normative frameworks and accountability mechanisms to promote the centrality of youth. It includes recommendations in a number of strategic areas: investing in developing the capacity, agency and leadership of young people; moving from exclusion to inclusion (e.g. through meaningful economic engagement, political inclusion, education); and building national, regional and global partnerships.

[25] Submission of the International Disability Alliance to Committee on the Rights of the Child general comment No. 20.

[26] See www.ohchr.org/EN/NewsEvents/Pages/SterilizationAgainstGirlsWithDisabilities.aspx.

VII. Initiatives to empower young people in the exercise of their rights

67. Many initiatives and good practices are being undertaken by Governments, United Nations agencies, national human rights institutions and non-governmental organizations (NGOs) to empower young people and support their rights at the international and national levels. The following is a selection of examples.

Global, multilateral and regional examples

68. IPU mobilizes parliaments to encourage greater participation by young people in political life, including through the establishment of the Forum of Young Parliamentarians. Not Too Young to Run, a campaign led by the Envoy on Youth in partnership with the United Nations Development Programme, OHCHR, IPU, the Youth Initiative for Advocacy Growth and Advancement (YIAGA) and the European Youth Forum, is based on the premise that if one is old enough to vote, one is old enough to run for office.

69. The Global Initiative on Decent Jobs for Youth, launched in 2016 under the leadership of ILO, brings together 22 United Nations entities in an effort to expand country-level action to promote decent jobs for young people through evidence-based interventions and knowledge and multi-stakeholder partnerships, contributing to the implementation of the Sustainable Development Goals and targets relating to youth employment.

70. The Global Partnership for Education, a multi-stakeholder partnership and funding platform that aims to strengthen education systems in developing countries, engages with youth advocates from the local to the global levels.

71. International Youth Day is commemorated on 12 August and focuses on a particular theme every year. To commemorate the Day, youth around the world are encouraged to organize activities to raise awareness about the topic and the situation of youth in the country.

72. The Envoy's platform for advocacy and information sharing through social media, Opportunities for Youth, is a useful tool for providing information on various opportunities for youth involvement, engagement and participation at the international, regional and national levels, including youth events, contests, conferences and university programmes.

73. The Young Leaders for the Sustainable Development Goals are 17 young people recognized for their outstanding leadership in efforts to contribute to the achievement of the Sustainable Development Goals. The 17 were selected from more than 18,000 nominations and work with the Office of the Envoy on Youth on global efforts to raise awareness and engage young people in the realization of the Goals. There have also been a growing number of initiatives to strengthen the inclusion of youth in the high-level political forum on sustainable development and follow-up to the 2030 Agenda.

74. The United Nations youth delegate programme allows for young people to participate at the United Nations through the inclusion of youth delegates in a country's official delegation to the General Assembly and various functional commissions of the Economic and Social Council.

75. The Economic and Social Council Youth Forum provides an annual platform for youth to engage in dialogue with Member States and contribute to the formulation of economic and social policy. Young people and representatives of youth-led and youth-focused organizations attend the annual Youth Forum. In addition, an NGO-led youth forum coordinated by YWCA has been organized in the past years, before the session of the Human Rights Council held in June.

76. In the European Union, the Erasmus plus programme, the programme for education, training, youth and sport, aims to provide over 4 million European students with the opportunity to gain competencies and for personal, socioeducational and professional development through study, training, work experience or volunteering abroad. The Youth Guarantee is another programme that aims to ease the transition from education to employment by ensuring that all young people under the age of 25 receive a good-quality

offer of employment, training or further education within four months of leaving formal education or becoming unemployed.

77. OHCHR engages with and consults youth in the context of its Faith for Rights initiative, which follows up on the Beirut Declaration on Faith for Rights and its 18 commitments. A first regional workshop was held in Tunis in May 2018, focusing on the role of youth faith actors in the promotion of human rights in the Middle East and North Africa region. OHCHR plans to organize more workshops in order to provide space for cross-disciplinary reflection and action on the deep and mutually enriching connections between religions and human rights.

78. Plan International has developed Champions of Change, an innovative and comprehensive programme to empower young women that engages adolescent boys and girls and young people in critical reflections on gender dynamics and the realization of their rights.

National examples

79. Many initiatives are being undertaken at the national level. For example, in its submission for the present report, Bahrain indicated that in the course of 2017 a number of memorandums of understanding had been signed to promote human rights and youth empowerment with youth associations in the country, including the Bahrain Youth Association and the Youth Technology Association.

80. The Prime Minister of Canada committed to the creation of a Prime Minister's Youth Council, by which Canadians aged 16 to 24 provide the Prime Minister with advice on national issues, such as employment, education and building stronger communities, as well as climate change and clean growth, among others.

81. In Germany, integration courses for immigrants younger than 27, who are no longer subject to compulsory schooling, have been established to help them to acquire linguistic skills and knowledge for a smooth transition to the German educational system or labour market.

82. In Honduras, the programme Miles de Manos has trained more than 42,000 young persons and 2,500 families in the prevention of violence and in the prevention of pregnancies and in sexual and reproductive health. Honduras has also invested in the following programmes: Honduras Joven, Por Mi Barrio and Mi Segunda Oportunidad, which are aimed at preventing violence among vulnerable communities and young people.

83. In Portugal, the "70 já!" (70 now) campaign, an online and offline campaign targeting young people from 15 to 30 years of age, aims to raise awareness of youth rights and promote a rights-based approach to youth policy and youth work. The programme is based on article 70 of the Constitution of Portugal, which specifically addresses youth rights.

84. The Mobile for Reproductive Health for Youth, supported by the United Nations Population Fund, is aimed at giving young people in Rwanda access to information about sexual and reproductive health through an automated, interactive and on-demand text messaging system in Kinyarwanda.

85. The Ministry of Culture, Youth and Sports of South Sudan reported that the Government had established the National Youth Union as an umbrella for all young people in the country, to ensure that the full rights of young people are implemented through the country's youth development policy.

86. In Turkey, a social cohesion and youth participation project between the Ministry of Youth and Sports and the United Nations Children's Fund was signed, with a view to ensuring the social cohesion of Syrian youth in Turkey.

VIII. Conclusions and recommendations

87. The year 2018 marks the twentieth anniversary of the adoption of the Braga Youth Action Plan and the Lisbon Declaration on Youth Policies and Programmes. This is the time to renew and strengthen the commitment to making the rights of young people a reality. Member States should take all measures necessary to ensure that young people can enjoy their rights without discrimination, and work in cooperation with youth organizations and youth-led structures towards that end.

88. The present report provides examples of the challenges and discrimination that young people face in ensuring respect for their rights, in particular their rights to participate in politics and public decision-making and to gain access to decent jobs when transitioning from education to the labour market, their sexual and reproductive health rights and their right to conscientious objection to military service. It shows how barriers and challenges are exacerbated for young people in vulnerable situations, including young migrants and refugees, young people in conflict with the law and young people with disabilities. It refers to the findings of the expert meeting on the human rights of youth, organized by OHCHR, which concluded that young people experience difficulties in the exercise of their rights by virtue of being young and that specific measures are needed to counter their discrimination. Discussions held at the Forum on Human Rights, Democracy and the Rule of Law on how to strengthen the protection of the rights of young people also informed the report.

89. On that basis, the Human Rights Council should assess the extent of the barriers and discrimination faced by young people, with a view to considering what measures would most effectively advance the rights of young people. Options include:

(a) Mainstreaming the human rights of youth through existing mechanisms, policies and programmes;

(b) Creating a special procedure mandate under the auspices of the Council;

(c) Considering the possibility of an international instrument;

(d) Introducing a mechanism that would ensure permanent, structured youth participation in the Council's work, such as an annual youth forum as an ongoing component of the Council.

90. Any such measure should be decided with the involvement of young people and need to be supported by adequate financial and human resources.